



APPLICATION FOR AMENDMENT TO THE FUTURE LAND USE MAP

APPLICATION & SURROUNDING AREA INFORMATION

OWNER/APPLICANT:	WRC Cook Yulee, LLC			
AGENT:	Gregory Matovina			
REQUESTED ACTION:	FLUM amendment from Medium Density Residential (MDR) to Transect-1 (T-1) and Transect 2.5 (T-2.5)			
LOCATION:	On the south side of Clyde Higginbotham Road between the CSX railroad and Lumber Creek			
CURRENT LAND USE AND ZONING:	Medium Density Residential (MDR) and Open Rural (OR)			
PROPOSED LAND USE AND ZONING:	Transect-1 (T-1) for 5.19 acres and Transect 2.5 (T-2.5) for 55.46 acres			
EXISTING USES ON SITE:	Pastureland			
PROPERTY SIZE AND PARCEL ID:	Approximately 60.65 acres and Parcel ID # 42-2N-27-0000-0003-0000			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Single Family Residential	OR	MDR
	South	Wetlands, Timucuan Ecological and Historic Preserve	OR, County Line (Duval)	AGR, County Line (Duval)
	East	Railroad, Single Family Residential, Vacant Commercial, Repair Service, Wetlands	OR, CG	MDR, COM
	West	Single Family Residential, Wetlands, Lumber Creek, Timucuan Ecological and Historic Preserve	OR	AGR
COMMISSION DISTRICT:	3			

*** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the County's website and at the Planning Department Office. ***



SUMMARY OF REQUEST AND BACKGROUND INFORMATION

This proposed amendment to the Comprehensive Plan Future Land Use Map (FLUM) is comprised of one parcel totaling approximately 60.65-acres located on the south side of Clyde Higginbotham Road between the CSX railroad and Lumber Creek and north of the Duval County line. The property, zoned Open Rural (OR), is currently utilized for pastureland. There is a companion rezoning application for the subject property to Transect-1 (T-1) and Transect 2.5 (T-2.5). The current underlying land use is Medium Density Residential (MDR). This amendment to the existing FLUM designation from MDR to Transect-1 (T-1) and Transect 2.5 (T-2.5) will create consistency between the proposed zoning district and land use category in addition to creating consistency with the subject property's William Burgess Mixed-Use Activity Center Overlay District transect assignment.

The William Burgess Mixed-Use Activity Center Overlay District encompasses 5,400 acres in southern Nassau County and is structured as a hybrid, form-based code district. The District prioritizes quality, compact urbanization and multi-modal connectivity with a focus on context sensitive design. The regulatory framework of the District is intended to:

- Ensure new development has the civic services and infrastructure needed to support the growth.
 - Proactively address floodplain management.
 - Promote fiscally sensitive growth patterns that create a walkable and mixed-use ecosystem.
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- Protect natural ecosystems and environmentally sensitive areas.
 - Create connected developments, promote multi-modal connections, and provide alternative transportation routes to SR200.
 - Adopt roadway standards that support more urban form and uses.

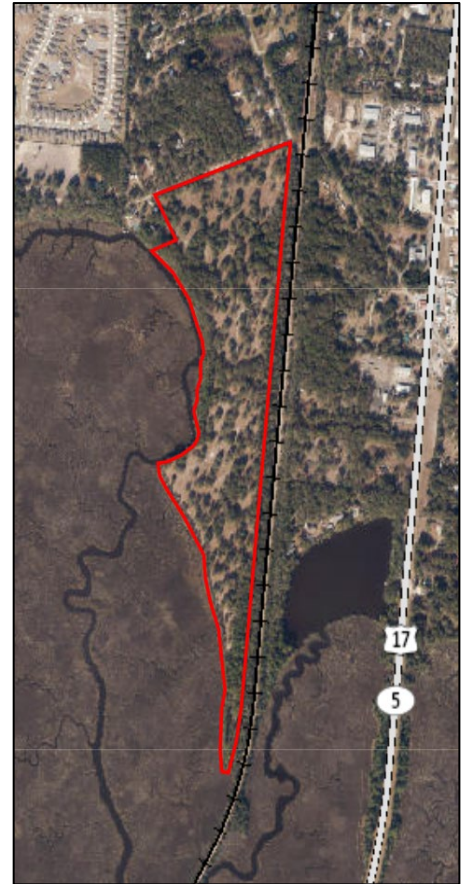


Figure 1: Subject Property

Pursuant to Sec. 163.3187, F.S., FLUM amendments containing fifty (50) acres, or more are considered "Large Scale" and require transmittal to FDOC for inter-agency state review.

Land designated Transect-1 (T-1) and Transect 2.5 (T-2.5) is *intended for the Natural Zone (T-1) and the Rural Transitional Zone (T-2.5). The Natural Zone is intended for preservation of natural areas while the Rural Transitional Zone permits up to one (1) dwelling unit per acre and a maximum floor area ratio of 0.5. The Natural Zone (T-1) has a maximum allowed density of zero (0) dwelling units per acre and a maximum floor area ratio of zero (0).*

This amendment would bring the site into conformance with the regulating map for the William Burgess Mixed-Use Activity Center Overlay District (see Figure 3 below which identifies the subject site and all of the properties located within



the Overlay District). The subject site is located within the southeastern portion of the Overlay District. The current underlying land use, MDR contains residential density standards which permit a minimum of zero (0) dwelling units per acre and a maximum of three (3) dwelling units per acre. The current zoning on the property, OR permits a maximum of one (1) dwelling unit per acre. The one (1) dwelling unit per acre maximum for OR is the same maximum density as that of the T-2.5 (Rural Transitional Zone) underlying land use category which is sought through this amendment.

Lands designated Transect 2.5 (T-2.5) are intended for low density residential uses and uses of a lesser intensity providing a transition between natural and rural areas and higher density and intensity transects. Permitted uses in T-2.5 include single family residential, small inns and bed & breakfast establishments, health and fitness establishments, religious assembly sites, fire or police stations, and agricultural uses, among others. Conditional uses, subject to approval through a conditional use process, in T-2.5 could potentially include an open market building/farmers market, indoor/outdoor recreation (private), a cemetery, and an agricultural stand. The lower density of the T-2.5 relative to the remaining transects is appropriate for the location of the subject property which is located just north of the Timucuan Ecological and Historic Preserve as can be seen in Figure 2 below.

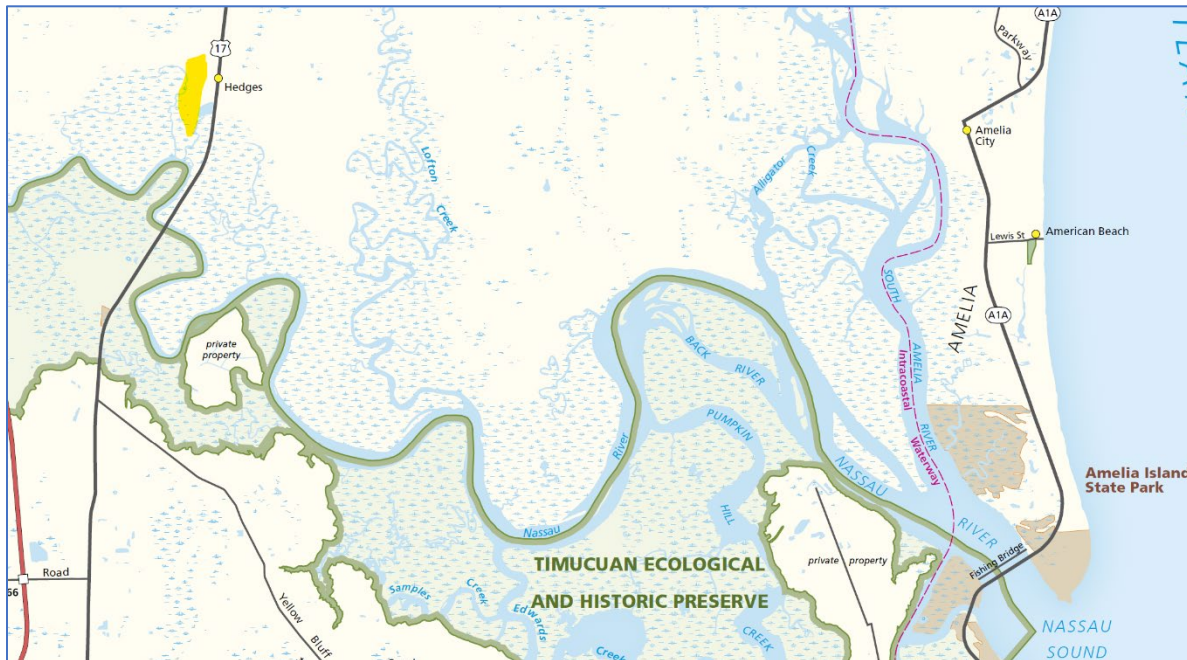


Figure 2: Timucuan Ecological and Historic Preserve with approximate location of the subject property highlighted in yellow

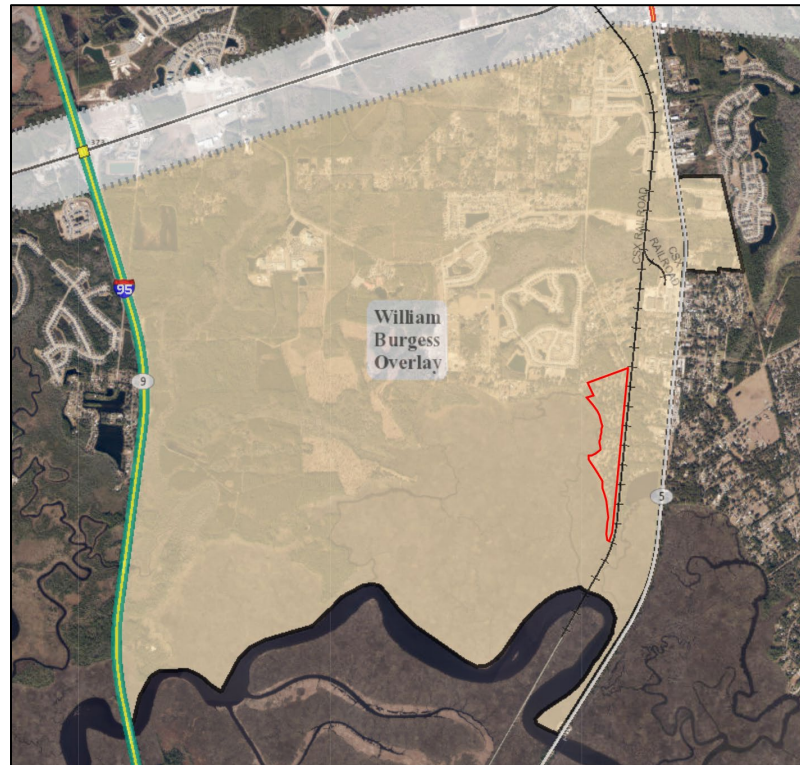


Figure 3: William Burgess Overlay with the subject property identified in red

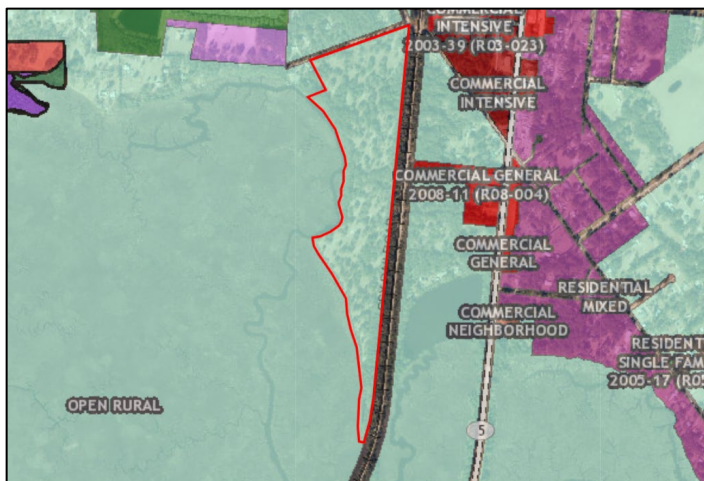
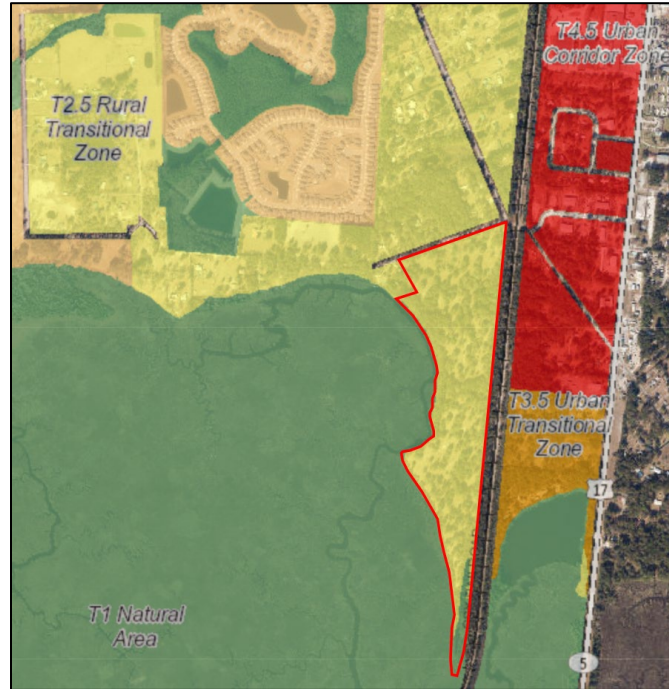


Figure 4: Zoning



Figure 5: Future Land Use

As can be seen in Figure 5, the subject property is assigned to Transect T2.5 (Rural Transitional Zone) along the majority of the site with a small area in the southernmost portion of the property assigned to T1 (Natural Area). The small area located along the southernmost portion of the site is located adjacent to wetlands and contains a Special Flood Hazard Area, flood zone A.



*Figure 6: William Burgess District
Transect Map*

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Future Land Use Policy FL.01.04

Pursuant to Ch. 163, F.S. and Policy FL.01.04 of the Comprehensive Plan, all amendments to the Future Land Use Map (FLUM) shall provide justification for the proposed amendment. In evaluating amendments, the County shall consider each of the following:

- (A) *Demonstrate the extent to which the proposed amendment discourages urban sprawl per F.S. 163.3177(6)(a)(9), of which indicators are:*
- 1) *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.*

Staff Response:

The property is located within the William Burgess Mixed-Use Activity Center Overlay District. The subject property is presently undeveloped and is utilized for pastureland. Due to the environmental characteristics and adjacent land use pattern of the property including the location adjacent to a creek and wetland system, this property was assigned future land use categories of T-1 and T-2.5. This amendment is consistent with the overlay land use assignment.



- 2) *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

Staff Response:

The William Burgess Mixed-Use Activity Center Overlay District assigns appropriate transects to the conditions for each parcel within the District as part of a hybrid, form-based code. This amendment seeks to bring the subject property into conformance with the small area plan for the William Burgess area. The transect assignments sought through this amendment prioritize conservation and protection of the rural character of the property.

- 3) *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*

Staff Response:

This property is located at the edge of the William Burgess Mixed-Use Activity Center Overlay District and is in an area identified for less dense development recognizing the rural character, environmental characteristics, and distance from services and infrastructure.

- 4) *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*

Staff Response:

Wetlands have been identified in the environmental assessment of the site. At the time of site plan review, required buffers shall be maintained in accordance with Land Development Code (LDC) Section 37.03. The transect assignment of T-1 seeks to protect the natural environment on the subject property. The western edge of the property contains a bluff adjacent to Lumber Creek and the tidal marsh. The transects assigned for the subject property were selected in recognition of the unique ecological characteristics of this location. The environmental report conducted by the applicant identifies the presence of gopher tortoise burrows on the subject property. Ground disturbing activities within twenty-five feet of tortoise burrows require a gopher tortoise relocation permit from the Florida Fish and Wildlife Conservation Commission (FWC). Proof of issuance of any FWC tortoise permits will be required to be submitted with building permit applications.

- 5) *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.*

Staff Response:

Agricultural and silvicultural activities are not located near the subject property.

- 6) *Fails to maximize the use of existing and future public facilities and services.*

Staff Response:

The site currently does not have access to water and sewer services.

- 7) *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary*



sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

Staff Response:

The site is located within the William Burgess Mixed-Use Activity Center Overlay District which is developing to include public services such as the Courthouse, Sheriff's Office, Emergency Operations, and Animal Control. Private services such as retail, grocery stores, and including emergency and non-emergency medical care are also developing along SR200 and within the nearby Wildlight development (approximately three miles away). A fire station is planned to be located approximately two miles away from the property, on Still Quarters Rd.

- 8) *Fails to provide a clear separation between rural and urban uses.*

Staff Response:

While located in a rural transition area, urban uses and intensity are part of the planned William Burgess Mixed-Use Activity Center Overlay District.

- 9) *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

Staff Response:

Through the realization of the transect assignments, the vision for the William Burgess Mixed-Use Activity Center Overlay District would be furthered. Density will not be increased through this amendment; however, the Overlay District would progress further towards full implementation which includes the encouragement of infill development across the Overlay District.

- 10) *Fails to encourage a functional mix of uses.*

Staff Response:

By encouraging the implementation of the William Burgess Mixed-Use Activity Center Overlay District, this amendment furthers the small area plan which provides for a functional mix of uses throughout the Overlay District's 5,400 acres.

- 11) *Results in poor accessibility among linked or related land uses.*

Staff Response:

The site is directly accessed by Clyde Higginbotham Rd and North Harts Rd, both local roads. The amendment will not result in poor or reduced accessibility among surrounding uses.

- 12) *Results in the loss of significant amounts of functional open space.*

Staff Response:

The amendment would not result in the significant loss of functional open space. Future development will be required to comply with the County's Parks, Recreation, Open Space Master Plan (PROSMP) which will ensure for the provision of recreational opportunities for residents. Any potential mitigation of wetland areas will need to comply with all local, State, and Federal regulations.



- (B) *Demonstrate the extent to which the proposed amendment is contiguous to an existing urban or urban transitioning area served by public infrastructure;*

Staff Response:

The property is not contiguous to an existing urban or urban transitioning area served by public infrastructure.

- (C) *Demonstrate the extent to which population growth and development trends warrant an amendment, including an analysis of vested and approved but unbuilt development;*

Staff Response:

According to the County's 2023 Growth Trends Report, Nassau is the seventh fastest growing county in the State of Florida (by %) with a projected population expansion of 44.6% resulting in over 138,500 people calling Nassau home by 2035. Population growth and development trends analyzed when the William Burgess Mixed-Use Activity Center Overlay District was created support the hybrid form-based code transect assignments shown in Figure 5 of this report.

- (D) *Demonstrate the extent to which adequate infrastructure to accommodate the proposed amendment exists, or is programmed and funded through an adopted Capital Improvement Schedule, such as the County's Capital Improvement Plan, the Florida Department of Transportation Five-Year Work Program, the North Florida Transportation Planning Organization (TPO) Transportation Improvement Program, or privately financed through a binding executed agreement, or will otherwise be provided at the time of development impacts as required by law;*

Staff Response:

Adequate infrastructure and road capacity are available on Clyde Higginbotham Rd. to accommodate the proposed density. Any required operational improvements will be evaluated at the time of site plan review.

- (E) *Demonstrate the extent to which the amendment will result in a fiscally and environmentally sustainable development pattern through a balance of land uses that is internally interrelated; demonstrates a context sensitive use of land; ensures compatible development adjacent to agriculture and environmentally sensitive lands; protects environmental and cultural assets and resources; provides interconnectivity of roadways; supports the use of non-automobile modes of transportation; and appropriately addresses the infrastructure needs of the community.*

Staff Response:

The requested amendment recognizes the transitional nature of the subject property and conforms to the assigned transect within the William Burgess Mixed-Use Activity Center Overlay District.

- (F) *Demonstrate the extent to which the amendment results in a compact development form that fosters emergence of vibrant, walkable communities; makes active, healthier lifestyles easier to enjoy; conserves land; supports transportation alternatives; reduces automobile traffic congestion; lowers infrastructure costs; reduce vehicular miles traveled and costs related to household transportation and energy; and puts destinations in closer proximity.*

Successful compact development is illustrated through the use of:

- 1) *Clustered population and/or employment centers;*
- 2) *Medium to high densities appropriate to context;*
- 3) *A mix of land uses;*
- 4) *Interconnected street networks;*
- 5) *Innovative and flexible approaches to parking;*
- 6) *Multi-modal transportation design including pedestrian, bicycle, and transit-friendly options;*



7) *And proximity to transit.*

Staff Response:

The William Burgess Mixed-Use Activity Center Overlay District was created to encourage compact development resulting in vibrant and walkable communities. The subject property is located at the edge of the overlay district and was assigned context sensitive and less dense transects in keeping with the rural characteristics and location of the site.

(G) *Demonstrate the extent to which the amendment does not propose environmental impacts that would significantly alter the natural landscape and topography such that it would exacerbate or lead to increased drainage, flooding, and stormwater issues.*

Staff Response:

Any future improvements to the site will be reviewed to ensure drainage and stormwater requirements are met.

CONCLUSION AND RECOMMENDATION

Staff finds the requested action to be consistent with the Comprehensive Plan policy FL.01.02(I), and FL.01.04 (A) through (G) as follows.

Comprehensive Plan Policies	Determination of Consistency
FL.01.02 (I)	√

Comprehensive Plan Amendment Criteria	Determination of Consistency
FL.01.04 (A)	√
FL.01.04 (B)	√
FL.01.04 (C)	√
FL.01.04 (D)	√
FL.01.04 (E)	√
FL.01.04 (F)	√
FL.01.04 (G)	√

Therefore, Staff recommends APPROVAL of application CPA24-003.